SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

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Nov-20-2015 1:36 pm

Case Number: CGC-15-549083

Filing Date: Nov-20-2015 1:28

Filed by: ARLENE RAMOS

Juke Box: 001 Image: 05166733

COMPLAINT

CITY AND COUNTY OF SAN FRANCISCO, ET AL VS. SANDRA STOPPOLONI ET AL

001C05166733

Instructions:

Please place this sheet on top of the document to be scanned.

SUMMONS
(CITACION JUDICIAL)

ORIGINAL

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: SANDRA STOPPOLONI, individually, and as
(AVISO AL DEMANDADO): Trustee of the STOPPOLONI FAMILY TRUST, Trustee of the SURVIVORS TRUST created by the SPECKMAN FAMILY TRUST, and Trustee of the BYPASS TRUST created by the SPECKMAN FAMILY TRUST, BERNARD M. SPECKMAN, JR. as Trustee of the SURVIVORS TRUST created by the SPECKMAN FAMILY TRUST, and as Trustee of the BYPASS TRUST created by the SPECKMAN FAMILY TRUST, and DOE ONE THROUGH DOE FIFTY,

YOU ARE BEING SUED BY PLAINTIFF: CITY AND COUNTY OF SAN
(LO ESTÁ DEMANDANDO EL DEMANDANTE): FRANCISCO, a Municipal Corporation, and the PEOPLE OF THE STATE OF CALIFORNIA, by and through DENNIS J. HERRERA, City Attorney for the City and County of San Francisco

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (*www.courtinfo.ca.gov/selfhelp*), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (*www.lawhelpcalifornia.org*), the California Courts Online Self-Help Center (*www.courtinfo.ca.gov/selfhelp*), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.
¡AVISO! *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a* continuación

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de $10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO
400 McAllister Street, Room 103
San Francisco, CA 94102

CASE NUMBER:
(Número del Caso): CGC-15-549083

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
DENNIS J. HERRERA, City Attorney (SBN 139669) 415-554-3820 415-437-4644
JILL CANNON, Deputy City Attorney (SBN 203471)
1390 Market Street, Sixth Floor
San Francisco, CA 94102

DATE: *(Fecha)* NOV 20 2015 CLERK OF THE COURT Clerk, by *(Secretario)* Arlene Ramos ARLENE RAMOS, Deputy *(Adjunto)*

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citatión use el formulario Proof of Service of Summons, *(POS-010)).*

[SEAL] SUPERIOR COURT OF CALIFORNIA EUREKA COUNTY OF SAN FRANCISCO

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify):*
3. ☐ on behalf of *(specify):*

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other *(specify):*

4. ☐ by personal delivery on *(date):*

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]

SUMMONS

Legal Solutions Plus

Code of Civil Procedure §§ 412.20, 465

ORIGINAL

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
DENNIS J. HERRERA, City Attorney (SBN 139669)
THOMAS S. LAKRITZ, Chief Attorney (SBN 161234)
JILL CANNON, Deputy City Attorney (SBN 203471)
1390 Market Street, Sixth Floor
San Francisco, CA 94102
TELEPHONE NO.: 415-554-3820 FAX NO.: 415-437-4644
ATTORNEY FOR (Name): Plaintiffs CCSF and People

FILED
Superior Court of California
County of San Francisco
NOV 20 2015
CLERK OF THE COURT
BY: Adrian Ramos
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
STREET ADDRESS: 400 McAllister Street
MAILING ADDRESS: 400 McAllister Street, Room 103
CITY AND ZIP CODE: San Francisco, CA 94102
BRANCH NAME: SAN FRANCISCO

CASE NAME: CITY AND COUNTY OF SAN FRANCISCO, et al., v. SANDRA STOPPOLONI, et al.

CIVIL CASE COVER SHEET
[x] Unlimited (Amount demanded exceeds $25,000) [ ] Limited (Amount demanded is $25,000 or less)

Complex Case Designation
[ ] Counter [ ] Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: CGC-15-549083
JUDGE:
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
[ ] Auto (22)
[ ] Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
[ ] Asbestos (04)
[ ] Product liability (24)
[ ] Medical malpractice (45)
[ ] Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
[ ] Business tort/unfair business practice (07)
[ ] Civil rights (08)
[ ] Defamation (13)
[ ] Fraud (16)
[ ] Intellectual property (19)
[ ] Professional negligence (25)
[ ] Other non-PI/PD/WD tort (35)

Employment
[ ] Wrongful termination (36)
[ ] Other employment (15)

Contract
[ ] Breach of contract/warranty (06)
[ ] Rule 3.740 collections (09)
[ ] Other collections (09)
[ ] Insurance coverage (18)
[ ] Other contract (37)

Real Property
[ ] Eminent domain/Inverse condemnation (14)
[ ] Wrongful eviction (33)
[ ] Other real property (26)

Unlawful Detainer
[ ] Commercial (31)
[ ] Residential (32)
[ ] Drugs (38)

Judicial Review
[ ] Asset forfeiture (05)
[ ] Petition re: arbitration award (11)
[ ] Writ of mandate (02)
[ ] Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
[ ] Antitrust/Trade regulation (03)
[ ] Construction defect (10)
[ ] Mass tort (40)
[ ] Securities litigation (28)
[ ] Environmental/Toxic tort (30)
[ ] Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
[ ] Enforcement of judgment (20)

Miscellaneous Civil Complaint
[ ] RICO (27)
[x] Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
[ ] Partnership and corporate governance (21)
[ ] Other petition *(not specified above)* (43)

2. This case [ ] is [x] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. [ ] Large number of separately represented parties
   b. [ ] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. [ ] Substantial amount of documentary evidence
   d. [ ] Large number of witnesses
   e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. [x] monetary b. [x] nonmonetary; declaratory or injunctive relief c. [ ] punitive
4. Number of causes of action *(specify)*: Three
5. This case [ ] is [x] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: November 20, 2015
JILL CANNON, Deputy City Attorney
(TYPE OR PRINT NAME)
Jill Cannon
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 [Rev. July 1, 2007]

CIVIL CASE COVER SHEET

Legal Solutions Plus

Cal. Rules of Court, rules 2.30, 3.220, 3.400–3.403, 3.740; Cal. Standards of Judicial Administration, std. 3.10

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than $25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort
- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death) Tort
- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/ Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
  - Medical Malpractice–Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort
- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment
- Wrongful Termination (36)
- Other Employment (15)

Contract
- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease Contract *(not unlawful detainer or wrongful eviction)*
  - Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
  - Negligent Breach of Contract/ Warranty
  - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case—Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

Real Property
- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer
- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review
- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ–Administrative Mandamus
  - Writ–Mandamus on Limited Court Case Matter
  - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment
- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment *(non-domestic relations)*
  - Sister State Judgment
  - Administrative Agency Award *(not unpaid taxes)*
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint
- RICO (27)
- Other Complaint *(not specified above)* (42)
  - Declaratory Relief Only
  - Injunctive Relief Only *(non-harassment)*
  - Mechanics Lien
  - Other Commercial Complaint Case *(non-tort/non-complex)*
  - Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition
- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief from Late Claim
  - Other Civil Petition

ORIGINAL

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Attorneys for Plaintiffs
CITY AND COUNTY OF SAN FRANCISCO and
PEOPLE OF THE STATE OF CALIFORNIA

FILED
Superior Court of California
County of San Francisco
NOV 20 2015
CLERK OF THE COURT
BY: Arlene Ramos
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

UNLIMITED JURISDICTION

CITY AND COUNTY OF SAN FRANCISCO, a Municipal Corporation, and the PEOPLE OF THE STATE OF CALIFORNIA, by and through DENNIS J. HERRERA, City Attorney for the City and County of San Francisco,

Plaintiffs,

vs.

SANDRA STOPPOLONI, individually, and as Trustee of the STOPPOLONI FAMILY TRUST, Trustee of the SURVIVORS TRUST created by the SPECKMAN FAMILY TRUST, and Trustee of the BYPASS TRUST created by the SPECKMAN FAMILY TRUST, BERNARD M. SPECKMAN, JR., as Trustee of the SURVIVORS TRUST created by the SPECKMAN FAMILY TRUST, and as Trustee of the BYPASS TRUST created by the SPECKMAN FAMILY TRUST, and DOE ONE THROUGH DOE FIFTY,

Defendants.

Case No.

CGC-15-549083

COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF

Type of Case: (42) Other Complaint

The CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation (hereinafter, "CCSF"), and the PEOPLE OF THE STATE OF CALIFORNIA, by and through DENNIS J. HERRERA, City Attorney for the City and County of San Francisco (hereinafter, "PEOPLE"), (hereinafter, collectively, "PLAINTIFFS") for their complaint against SANDRA STOPPOLONI, individually, as Trustee of the STOPPOLONI FAMILY TRUST, Trustee of the SURVIVORS TRUST created by the SPECKMAN FAMILY TRUST, and as Trustee of the BYPASS TRUST created by the SPECKMAN FAMILY TRUST (hereinafter, "STOPPOLONI"), BERNARD M. SPECKMAN, JR., as Trustee of the SURVIVORS TRUST created by the SPECKMAN FAMILY TRUST, and as Trustee of the BYPASS TRUST created by the SPECKMAN FAMILY TRUST (hereinafter, "SPECKMAN") and DOE ONE through DOE FIFTY (hereinafter, collectively "DEFENDANTS"), hereby allege as set forth below:

INTRODUCTION

1. This action arises out of DEFENDANTS' ownership, maintenance, operation, management and use of their property located at 819-829 Hampshire Street, San Francisco, California (the "Property") in violation of state and local health and safety codes, and as a public nuisance that substantially endangers the health, welfare, and safety of their tenants, their neighbors, the neighborhood, and the City and County of San Francisco.

2. Since 2004, DEFENDANTS have been cited four times in Notices of Violation issued by the San Francisco Department of Building Inspection ("DBI") for maintaining the tenant-occupied Property in violation of the San Francisco Housing Code. When DEFENDANTS failed to timely abate the NOVs, DBI held four duly noticed, public hearings, and issued four Orders of Abatement, each declaring the Property a public nuisance.

3. Notwithstanding DBI's administrative efforts, DEFENDANTS refused to cure the code violations and abate the public nuisance, and continued to jeopardized the welfare of residents, neighbors, and citizens by maintaining the Property in a dangerous and substandard condition.

4. By operating the Property as a residential rental business while simultaneously maintaining it as a public nuisance and in violation of state and local laws, DEFENDANTS have

engaged in, and continue to engage in, unfair and unlawful business practices in contravention to California Business and Professions Code sections 17200-17210 (the "Unfair Competition Law").

5. DEFENDANTS have failed, and continue to fail, to comply with Notices of Violation issued by DBI on January 28, 2004, February 11, 2014, February 21, 2014, and October 2, 2014. DEFENDANTS have failed to comply with Orders of Abatement issued by DBI on September 17, 2004, June 5, 2014, and January 22, 2015.

PARTIES AND SUBJECT PROPERTY

6. Plaintiff CITY AND COUNTY OF SAN FRANCISCO is a municipal corporation organized and existing under and by virtue of the laws of the State of California.

7. CCSF brings this action under the State Housing Law (California Health and Safety Code sections 17910-17998.3), the San Francisco Municipal Code, including the San Francisco Housing and Building Codes, California Civil Code sections 3479, 3480, 3491, and 3494, and California Code of Civil Procedure section 731.

8. The PEOPLE bring this action pursuant to California Civil Code sections 3479, 3480, 3491 and 3494; California Code of Civil Procedure section 731; and California Business and Professions Code sections 17200-17210, also known as the Unfair Competition Law.

9. At all relevant times herein, DEFENDANTS have been the owners, operators, managers, lessors, and maintainers of the real property and all buildings and other improvements located at 819-829 Hampshire Street, Block 4089, Lot 035, in the City and County of San Francisco, State of California, (hereinafter, the "Property").

10. DEFENDANTS are sued as the owners, lessors, and managers of the Property, and as the persons committing the acts and/or omissions alleged in this Complaint, or the persons allowing or directing the commission of the acts and/or omissions alleged in this Complaint.

11. Defendants DOE ONE through DOE FIFTY are sued herein under fictitious names. PLAINTIFFS do not at this time know the true names or capacities of said defendants, but pray that the same may be alleged herein when ascertained.

12. At all times herein mentioned, each Defendant was an agent, servant, employee, partner, franchisee and joint venturer of each other defendant and at all times was acting within the course and scope of said agency, service, employment, partnership, franchise and joint venture.

13. Actions taken, or omissions made, by DEFENDANTS' employees or agents in the course of their employment or agency are considered to be actions or omissions of DEFENDANTS for the purposes of this Complaint.

14. Whenever reference is made in this Complaint to any act or omission of "Defendants," such allegation shall mean that each Defendant did or authorized or permitted the act or omission, or recklessly and carelessly failed to supervise, control, or direct other persons who engaged in the act or omission.

GENERAL ALLEGATIONS

15. The Property at 819-829 Hampshire Street is an apartment building built in 1907, consisting of six legal units on three floors of occupancy, and is located in the Mission District of San Francisco, California. It is more particularly described in Exhibit A, which is attached hereto and incorporated as part of this Complaint.

16. PLAINTIFFS are informed and believe that STOPPOLONI, as an individual or as a Trustee, has been an owner of the Property since at least 1990. PLAINTIFFS are informed and believe that SPECKMAN, as a Trustee, was an owner of the Property from February 22, 2001-September 17, 2014.

17. At all times relevant to the allegations contained in this Complaint, DEFENDANTS collected monthly rent from the Property's tenants, while maintaining the Property in a substandard and unsafe condition, and as a public nuisance.

First Notice of Violation and Order of Abatement (Complaint #200346273)

18. On or about January 28, 2004, DBI issued a Notice of Violation ("First NOV"). The First NOV was issued for a variety of Housing Code violations observed in the common areas, including: loose exterior siding, loose window frame casing, damaged fire proofing, lack of fire extinguishers, damaged exterior paint, lack of gas shutoff tool, and lack of instructions for turning off gas. The First NOV instructed DEFENDANTS to cure all violations within 30 days and set a

reinspection for February 27, 2004, so that DBI could verify that all code violations had been properly and adequately abated. A true and correct copy of the First NOV is attached hereto as Exhibit B and incorporated as part of this Complaint.

19. On February 27, 2004, DBI called DEFENDANTS to confirm reinspection, but DBI was told nothing had been corrected. A new inspection was scheduled for March 23, 2004, but DEFENDANTS failed to appear. On July 13, 2014, DBI observed that the exterior violations were not repaired. On July 20, 2004, DBI issued a Notice of Director's Hearing ("First Hearing Notice"), scheduled to take place on August 5, 2004. A copy of the First Hearing Notice was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property.

20. On or about August 5, 2004[1], DBI held the Director's Hearing. DEFENDANTS did not appear and were not represented. On September 17, 2004, DBI issued an Order of Abatement ("First Order"), finding that the Property constituted a public nuisance, and ordering DEFENDANTS to cure all violations within 15 days. A copy of the First Order was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property. A true and correct copy of the First Order is attached hereto as Exhibit C and incorporated as part of this Complaint.

21. DEFENDANTS did not timely appeal the First Order, and on September 28, 2004, DBI caused the First Order to be recorded against title to the Property.

22. As of November 20, 2015, the First NOV and First Order remain outstanding.

Second Notice of Violation and Order of Abatement (Complaint #201449783)

23. On or about February 7, 2014, DBI issued another Notice of Violation ("Second NOV") for life-safety hazards, including: damage and deterioration throughout the rear exit stairwell, including the guard rails, posts, landings, treads and risers. Additional habitability code violations included: loose exterior siding, excess storage of materials in basement and egress path, lack of carbon monoxide alarm, non-functioning light fixtures, deteriorated drainage at exterior, sewage waste

[1] The Director's Hearing was held on Thursday, August 5, 2004. The Order of Abatement states that the Director's Hearing was held on August 4, 2004, but that is a typographical error.

accumulation, damaged sink, and damaged ceilings. The Second NOV directed Defendants to obtain a building permit within 15 days and correct all violations within 30 days. A reinspection was scheduled for March 13, 2014, so that DBI could verify that all code violations had been properly and adequately abated. A true and correct copy of the Second NOV is attached hereto as Exhibit D, and incorporated as part of this Complaint.

24. On or about March 13, 2014, DBI attempted to reinspect, but DEFENDANTS failed to appear. On or about April 3, 2014, DBI sent a "Final Warning" letter to DEFENDANTS for failing to correct the violations cited in the Second NOV. The Final Warning letter set a new reinspection date of April 15, 2014.

25. On April 15, 2014, DEFENDANTS again failed to appear. On May 19, 2014, DBI issued a Notice of Director's Hearing ("Second Hearing Notice"), and set the hearing for June 5, 2014. A copy of the Second Hearing Notice was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property.

26. On June 5, 2014, DBI held a Director's Hearing, at which DEFENDANTS did not appear and were not represented. Following the hearing, DBI issued another Order of Abatement ("Second Order"), declaring the Property a public nuisance and ordering DEFENDANTS to obtain a building permit and complete all work within seven days. A copy of the Second Order was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property. A true and correct copy of the Second Order is attached hereto as Exhibit E, and incorporated as part of this Complaint.

27. DEFENDANTS did not timely appeal the Second Order, and on or about July 16, 2014, DBI caused the Second Order to be recorded against title to the Property.

28. On February 4, 2015, DEFENDANTS submitted a building permit application and obtained a building permit to repair the stairs. As of November 20, 2015, the permit was not signed off, and the Second NOV and Second Order remain outstanding.

Third Notice of Violation and Order of Abatement (Complaint No. 201453271)

29. On or about February 24, 2014, DBI issued another Notice of Violation ("Third NOV"). The Third NOV was issued for an improperly working heating unit and possible improper

venting shutting down the pilot in Unit 825. The Third NOV instructed DEFENDANTS to correct all violations within 15 days, as well as provide a written and signed report from a qualified service company or contractor stating that the whole of the heating system is in working order and poses no hazards to the occupants. A reinspection was scheduled for March 12, 2014, so that DBI could verify that all code violations had been properly and adequately abated. A true and correct copy of the Third NOV is attached hereto as Exhibit F, and incorporated herein as part of this Complaint.

30. On March 12, 2014, DBI attempted to reinspect, but DEFENDANTS failed to appear or provide DBI with the requested report regarding the heating system. DBI issued a Final Warning Letter, and set a new reinspection date of April 15, 2014. DBI attempted to reinspect on April 15, 2014, but DEFENDANTS again failed to appear. On May 21, 2014, DBI issued a Notice of Director's Hearing ("Third Hearing Notice"), setting the hearing for June 5, 2014. A copy of the Third Hearing Notice was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property.

31. On June 5, 2014, DBI held a Director's Hearing, at which DEFENDANTS did not appear and were not represented. Following the hearing, DBI issued another Order of Abatement ("Third Order"), declaring the Property a public nuisance and ordering DEFENDANTS to complete all work within 7 days. A copy of the Third Order was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property. A true and correct copy of the Third Order is attached hereto as Exhibit G, and incorporated as part of this Complaint.

32. DEFENDANTS did not timely appeal the Third Order, and on July 16, 2014, DBI caused the Third Order to be recorded against title to the Property.

33. As of November 20, 2015, the Third NOV and Third Order remain outstanding.

Fourth Notice of Violation and Order of Abatement (Complaint No. 201497621)

34. On or about October 2, 2014, DBI issued another Notice of Violation ("Fourth NOV") for various code violations, including: insufficient structural support for rear porch enclosure/rear of building; lack of handrails, smoke detectors, rodent infestation, damaged walls ceilings, and mold/mildew. The Fourth NOV directed Defendants to correct the violation within 30 days, with

permits as necessary, as well as provide a written report from a contractor, architect, or engineer regarding necessary repairs to ensure stability and safety of the porch enclosure. A reinspection was scheduled for November 3, 2014, so that DBI could verify that all code violations had been properly and adequately abated. A true and correct copy of the Fourth NOV is attached hereto as Exhibit H, and incorporated as part of this Complaint.

35. On November 3, 2014, DBI attempted to reinspect but DEFENDANTS failed to appear, or provide the requested report regarding the porch enclosure. On November 18, 2014, DBI issued a Final Warning Letter, setting a new reinspection date of December 9, 2014. On November 9, 2014, DEFENDANTS again did not appear.

36. On January 5, 2015, DBI issued a Notice of Director's Hearing ("Fourth Hearing Notice"), and set the hearing for January 22, 2015. A copy of the Fourth Hearing Notice was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property.

37. On January 22, 2015, DBI held a Director's Hearing, at which DEFENDANTS did not appear and were not represented. On January 22, 2015, DBI issued another Order of Abatement ("Fourth Order"), declaring the Property a public nuisance and ordering DEFENDANTS to complete all work within seven days. A copy of the Fourth Order was mailed via certified mail to DEFENDANTS at the address of record, and a copy was posted in a conspicuous place on the Property. A true and correct copy of the Fourth Order is attached hereto as Exhibit I, and incorporated as part of this Complaint.

38. Defendants did not timely appeal the Fourth Order, and on March 17, 2015, DBI caused the Fourth Order to be recorded against title to the Property.

39. As of November 20, 2015, the Fourth NOV and Fourth Order remain outstanding.

40. DEFENDANTS have ignored duly issued administrative Notices and Orders, have failed and refused to timely abate the cited code violations, and have maintained, and continue to maintain, the Property as a public nuisance and in substandard condition in violation of the San Francisco Housing and Building Codes, the California Health and Safety Code, the California Civil Code, and the Unfair Competition Law.

41. At the time of trial, PLAINTIFFS will move the Court to amend this Complaint to include any conditions discovered after the filing of this Complaint.

FIRST CAUSE OF ACTION FOR VIOLATION OF THE STATE HOUSING LAW BROUGHT BY PLAINTIFF CCSF AGAINST ALL DEFENDANTS

(CA Health and Safety Code Sections 17910-17980.9)

42. Plaintiff CCSF hereby incorporates by reference all preceding paragraphs of this Complaint and make them a part of this First Cause of Action, as though fully set forth herein.

43. DEFENDANTS are now, and for a considerable period of time heretofore and at all times herein mentioned have been, maintaining the Property as a substandard building within the meaning of Health and Safety Code Section 17920.3, which endangers the health and safety of the occupants and the general public.

44. At all times herein mentioned, DEFENDANTS have had notice and knowledge that said premises constituted a substandard building because they were served with administrative Notices and Orders issued by DBI.

45. Plaintiff CCSF has no adequate remedy at law in that damages are insufficient to protect the public from the harm caused by the conditions described herein.

46. Unless injunctive relief is granted, the occupants and neighbors of the Property and the residents of the City and County of San Francisco will suffer irreparable injury and damage, in that said conditions will continue to be injurious to the continuous enjoyment of life and the free use of property of said residents.

SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE BY PLAINTIFFS CCSF AND PEOPLE AGAINST ALL DEFENDANTS

COUNT ONE
PUBLIC NUISANCE PER SE
(San Francisco Housing and Building Codes)

47. Plaintiff CCSF hereby incorporates by reference all preceding paragraphs of this Complaint and makes them a part of this Second Cause of Action, Count One, as though fully set forth herein.

48. Plaintiff CCSF bring this action pursuant to San Francisco Housing Code sections 204(c)(2), 401, 1001, and San Francisco Building Code sections 102 and 103.

49. DEFENDANTS are now, and for a considerable period of time, and all times pertinent to the allegations in this Complaint, have been maintaining the Property in violation of the San Francisco Housing Code. Pursuant to San Francisco Housing Code sections 401 and 1001, any condition that is dangerous to human life or is detrimental to health or is a fire hazard, or any building that has insufficient ventilation or illumination or inadequate or unsanitary sewage or plumbing facilities, or any substandard building, is a per se public nuisance.

50. DEFENDANTS are now, and for a considerable period of time, and at all times herein mentioned, have been maintaining the Property in such a hazardous condition as to be dangerous to human life, detrimental to health, a fire hazard, unsanitary, and as a substandard building. The conditions constituting a continuing public nuisance are more fully described above and in the Exhibits hereto.

51. DEFENDANTS are now, and for a considerable period of time, and at all times herein mentioned, have been maintaining the Property in violation of the San Francisco Building Code. Pursuant to Building Code section 102, any building, structure, property, or part thereof, that is structurally unsafe or not provided with adequate egress, or that constitutes a fire hazard, or is otherwise dangerous to human life, safety, or health of the occupants or the occupants of adjacent properties or the public by reason of inadequate maintenance, obsolescence, or abandonment, dilapidation, or was erected, moved, altered, constructed, or maintained in violation of law or ordinance, is unsafe and a public nuisance.

52. DEFENDANTS are now, and for a considerable period of time, and at all times herein mentioned, have been maintaining the Property in a manner that is structurally unsafe and not provided with adequate egress, that constitutes a fire hazard, or is otherwise dangerous to human life, safety, or health of the occupants or the occupants of adjacent properties or the public by reason of inadequate maintenance, obsolescence, or abandonment, dilapidation, and have erected, moved, altered, constructed or maintained the Property in violation of law and ordinance. The conditions constituting the continuing public nuisance are more fully described above, and in the Exhibits hereto.

53. At all times herein mentioned, DEFENDANTS have had notice and knowledge that the Property constituted a public nuisance and an unsafe building because they were served with administrative Notices and Orders issued by DBI, but DEFENDANTS failed and refused to take reasonable steps to abate the nuisance.

54. Plaintiff CCSF has no adequate remedy at law in that damages are insufficient to protect the public from the present danger and harm caused by the conditions described herein.

55. Unless said nuisance conditions are abated, the occupants of the subject Property, the residents of adjacent properties, and the residents of the City and County of San Francisco will suffer irreparable injury and damage, in that said conditions will continue to be injurious to the continuous enjoyment of life and the free use of property of said residents.

56. By maintaining the Property in a manner that violates the San Francisco Housing Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and refused to comply with the San Francisco Housing Code and the orders issued by DBI and Defendants are thus subject to mandatory civil penalties of up to $1,000 per day for each day that the violations existed and were permitted to continue, as set forth in San Francisco Housing Code section 204(c)(2).

57. By maintaining the Property in a manner that violates the San Francisco Building Code, DEFENDANTS have violated, disobeyed, omitted, neglected, and refused to comply with the San Francisco Building Code and the orders issued by DBI and Defendants are thus subject to mandatory civil penalties of up to $500 per day for each day that the violations existed and were permitted to continue, as set forth in San Francisco Building Code section 103.

COUNT TWO
GENERAL PUBLIC NUISANCE
(California Civil Code Sections 3479 and 3480)

58. Plaintiff PEOPLE hereby incorporate by reference all preceding paragraphs of this Complaint and makes them part of this Second Cause of Action, Count Two, as though fully set forth herein.

59. As described above, DEFENDANTS are now, and for a considerable period of time, and all times pertinent to the allegations in this Complaint, have been maintaining the Property in such a manner as to constitute a continuing public nuisance within the meaning of Civil Code sections 3479

and 3480. The practices described above are injurious to the health and safety of the residents and the community, are offensive to the senses, and interfere with the comfortable enjoyment of life and property. The practices described above also affect a considerable number of people and an entire community and neighborhood.

60. At all times herein mentioned, DEFENDANTS knew or should have known that the Property was being maintained as a public nuisance, as alleged in this Complaint, but failed and refused to take reasonable steps to abate the nuisance.

61. Unless enjoined, DEFENDANTS will continue to operate the Property in the above-described condition as a public nuisance.

62. Plaintiff PEOPLE have no adequate remedy at law in that damages are insufficient to protect the public from the present danger and harm caused by the conditions described herein. Unless injunctive relief is granted to enjoin DEFENDANTS, the public will suffer irreparable harm and damage.

63. Unless this nuisance is abated, the community, the neighborhood, the residents and the citizens of the City and County of San Francisco and State of California will suffer irreparable injury and damage, in that said conditions will continue to be injurious to life and the enjoyment and free use of the property of said residents and citizens.

THIRD CAUSE OF ACTION
FOR UNFAIR AND UNLAWFUL BUSINESS PRACTICES BROUGHT BY PLAINTIFF PEOPLE AGAINST ALL DEFENDANTS
(California Business and Professions Code Sections 17200-17210)

64. Plaintiff PEOPLE hereby incorporate by reference all preceding paragraphs of this Complaint and makes them part of this Third Cause of Action, as though fully set forth herein.

65. Plaintiff PEOPLE, acting to protect the public as consumers and competitors from unlawful, unfair, and fraudulent practices, bring this cause of action in the public interest in the name of the People of the State of California, pursuant to Business and Professions Code section 17200-17209.

66. The violations of law described herein have been and are being carried out wholly, or in part, within the City and County of San Francisco.

67. The actions of Defendants are in violation of the laws and public policies of the City and County of San Francisco and the State of California, and are inimical to the rights and interest of the general public. Unless enjoined and restrained by an order of this Court, Defendants will continue to engage in the unlawful and unfair acts and courses of conduct described herein.

68. Through the conduct described above, Defendants have engaged in the following unlawful and unfair business practices prohibited by California Business and Professions Code sections 17200-17209:

A. maintaining substandard housing in violation of the State Housing Law;

B. violating San Francisco Housing and Building Codes;

C. creating and maintaining a public nuisance;

D. failing to comply with Notices of Violation and Orders of Abatement issued by DBI;

E. renting substandard units to tenants.

69. Plaintiff PEOPLE are informed and believe, and based upon such information and belief, allege that as a direct result of these acts and omissions, DEFENDANTS have received or will receive income, capital appreciation, and other benefits which they would not have received if they had not engaged in the violations of Business and Professions Code section 17200 described in this Complaint.

70. Plaintiff PEOPLE have no adequate remedy at law in that damages are insufficient to protect the public from the present danger and harm caused by the conditions described in this Complaint.

71. Plaintiff PEOPLE are informed and believe, and based on such information and belief, allege that unless enjoined and restrained DEFENDANTS will continue to engage in unfair and unlawful business practices.

72. Unless injunctive relief is granted to enjoin DEFENDANTS' unfair and unlawful business practices, Plaintiff PEOPLE will suffer irreparable injury and damage.

73. DEFENDANTS are subject to civil penalties of up to $2,500 per violation of the Business and Professions Code for each act of unfair and unlawful competition, pursuant to Business and Professions Code section 17206.

74. DEFENDANTS are subject to additional civil penalties of up to $2,500 for each violation that was perpetrated against one or more elderly or disabled persons, pursuant to Business and Professions Code section 17206.1.

PRAYER

WHEREFORE, Plaintiffs pray that:

1. DEFENDANTS be declared to have violated the San Francisco Municipal Code, California Civil Code sections 3479 and 3480, California Health and Safety Code sections 17910-17995.5, and California Business and Professions Code sections 17200-17209;

2. The Property and structures located at 819-829 Hampshire Street, San Francisco, California, be judicially declared a public nuisance.

3. The Property be judicially declared to be in a condition that substantially endangers the health and safety of the occupants of the Property and the general public;

4. The Court issue a permanent injunction, ordering DEFENDANTS to permanently abate all code violations and other public nuisances on the Property, with all appropriate permits, and obtain all necessary DBI inspections and sign-offs, verifying that all code violations contained in the NOVs have been properly abated, in accordance with the San Francisco Municipal Code, the California Civil Code, the California Health and Safety Code, and the California Business and Professions Code;

5. DEFENDANTS and each of them, their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees, be preliminarily and permanently enjoined from maintaining, operating, conducting, using, occupying, or in any way permitting the use of the Property and structures at 819-829 Hampshire Street, San Francisco, California, until the Property and all parts thereof, conform to law;

6. DEFENDANTS and each of them, their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees, be preliminarily and permanently enjoined from maintaining, operating, conducting, using, occupying, or in any way permitting the use of the Property and structures at 819-829 Hampshire Street, San Francisco, California, as an unfair and/or unlawful business practice in violation of California Business and Professions Code sections 17200-17209.

7. DEFENDANTS and each of them, their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees, be ordered to cause the Property and all parts thereof, to conform to law, and to maintain it in such conformity at all times;

8. DEFENDANTS, and each of them, be ordered to pay relocation assistance to the tenants of the Property, if necessary, pursuant to Health & Safety Code section 17980.7(d)(3);

9. Pursuant to San Francisco Building Code section 103A, DEFENDANTS, and each of them, be ordered to pay a civil penalty of $500 for each day that the Building Code violations alleged in the Complaint were permitted to occur;

10. Pursuant to San Francisco Housing Code section 204(c)(2), DEFENDANTS, and each of them, be ordered to pay a civil penalty of $1,000 for each day that the Housing Code violations alleged in the Complaint were permitted to occur;

11. Pursuant to Business and Professions Code section 17206, DEFENDANTS, and each of them, be ordered to pay a civil penalty of $2,500 for each unfair and/or unlawful business act alleged in this Complaint;

12. Pursuant to Business and Professions Code section 17206.1, DEFENDANTS, and each of them, be ordered to pay a civil penalty of $2,500 for each unfair and/or unlawful business act alleged in this Complaint that was perpetrated against an elderly or disabled person.

13. Pursuant to Business and Professions Code section 17203, DEFENDANTS, and each of them, be ordered to disgorge all profits and make restitution of any money or property, real or personal, obtained through their unfair and/or unlawful business acts and practices;

14. DEFENDANTS, and each of them, be preliminarily and permanently enjoined from spending, transferring, encumbering, or removing from California any real or personal property or money received from the Property or in payment for the unfair and unlawful acts alleged in this Complaint;

15. Pursuant to Health and Safety Code section 17980.7, DEFENDANTS and each of them, be ordered to not claim any deduction with respect to state taxes for interest, expenses, depreciation, or amortization paid or incurred with respect to the cited structure for the years 2011,

2012, 2013, and 2014, and to file an amended tax return for any of those years in which they have already claimed such deduction;

16. PLAINTIFFS be authorized to have a lien upon the Property in the amount expended pursuant to said authority and to have judgment in said amount against said DEFENDANTS, their successors and assigns.

17. PLAINTIFFS be authorized to record an Abstract of Judgment that constitutes a prior lien over any lien that any DEFENDANTS in this case may hold on the Property;

18. DEFENDANTS, and each of them, be ordered to pay all assessment and abatement costs pursuant to Building Code section 102;

19. DEFENDANTS, and each of them, be ordered to pay all reasonable and actual costs including, but not limited to, inspection costs, investigation costs, including expert witness fees, attorney's fees and costs, and all costs of investigation and prosecution pursuant to Health and Safety Code section 17980.7(d)(1); and

20. Other and further relief be ordered as this Court should find just and proper.

Dated: November 20, 2015

DENNIS J. HERRERA
City Attorney
THOMAS S. LAKRITZ
Chief Attorney
JILL CANNON
Deputy City Attorney

By: _____
JILL CANNON
Attorneys for Plaintiffs
CITY AND COUNTY OF SAN FRANCISCO and
PEOPLE OF THE STATE OF CALIFORNIA

INDEX TO EXHIBITS

Exhibit	Description
A	Property Description for 819-829 Hampshire Street, San Francisco, California
B	First NOV – Complaint No. 200346273
C	First Order – Complaint No. 200346273
D	Second NOV – Complaint No. 201449783
E	Second Order – Complaint No. 201449783
F	Third NOV – Complaint No. 201453271
G	Third Order – Complaint No. 201453271
H	Fourth NOV – Complaint No. 201497621
I	Fourth Order – Complaint No. 201497621

EXHIBIT A

EXHIBIT A

819-829 Hampshire Street
Blk 4089 Lot 035

All that certain real property situated within the City and County of San Francisco, State of California, described as follows:

Commencing at a point on the easterly line of Hampshire Street distant thereon 100 feet southerly from the southerly line of 20th Street running thence southerly and along said easterly line of Hampshire Street 44 feet; thence at a right angle easterly 100 feet; thence at a right angle northerly 44 feet and thence at a right angle westerly 100 feet to the easterly line of Hampshire Street and the point of commencement.

BEING a portion of Mission Block No. 144.

APN: Block 4089, Lot 035

EXHIBIT B

DEPARTMENT OF BUILDING INSPECTION
HOUSING INSPECTION SERVICES

1660 Mission Street
San Francisco, CA 94103-2414

NOTICE OF VIOLATION

COMPLAINT: 200346273

OWNER/AGENT: SURVIVORS TRUST

MAILING ADDRESS: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT.
BURLINGAME CA
94010

DATE: 28-JAN-04

LOCATION: 819 HAMPSHIRE ST

BLOCK: 4089 **LOT:** 035

NOTICE TYPE: ROUTINE

BUILDING TYPE: APT **USE TYPE:** R1

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM		DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	819 Hampshire St. Routine inspection of the (common area) building SEC.(303 a S.F.H.C).
2	REPAIR WEATHER PROOFING ON SIDING (1001(h),703 HC)	WHERE REQUIRED: SECURE LOOSE EXTERIOR SIDING AND LOOSE WINDOW FRAME CASING (CAULKING GAPS IF REQUIRED) AT THE REAR OF THE BUILDING TO ELIMINATE ANY AIR INFILTRATION.
3	REPAIR FIRE PROOFING WITH APPROVED MATERIALS (HC 1001(m), 809)	WHERE REQUIRED: COVER ALL HOLES ON THE CEILING IN THE SIDE PASSAGEWAY WITH 5/8" TYPE" X" FIRE RESISTANT SHEETROCK AND SHEETROCK TAPE,(FIRE TAPE)ALL SEAMS AND GAPS OF THE SHEETROCK ASSEMBLY THROUGHOUT THE AREA/ROOMS.
4	PROVIDE FIRE EXTINGUISHER TYPE 2A 10BC OR EQUIVALENT.(905, 1001(n)HC)	Minimum one extinguisher is required in rear stairs at midway between units / flats. **Reminder** All fire extinguishers are required to be recharged and serviced annually and date tag must be posted and current.
5	MOVE GARBAGE RECEPTACLES TO AREA OPEN TO THE SKY (904, 906(4) HC)	Provide automatic fire sprinklers over garbage receptacles or move garbage receptacles to area open to the sky. (904,906(4) HC)
6	REMOVE OR COVER DAMAGED PAINT IN AN APPROVED MANNER TO PREVENT A LEAD HAZARD. SEE ATTACHED LEAD HAZARD WARNING. (1301 HC)	WHERE REQUIRED FOR THE EXTERIOR SIDING (BUILDING'S SOUTH WALL AT THE FRONT OF THE STREET)ALSO THE WINDOW CASING.

DEPARTMENT OF BUILDING INSPECTION
HOUSING INSPECTION SERVICES
1660 Mission Street
San Francisco, CA 9[illegible]2414

NOTICE OF VIOLATION

COMPLAINT: 200346273

7	Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises. For interior or exterior paint removal : Always wet the surface, contain and properly dispose of leaded paint. If you are unsure whether the paint is leaded, you should test it prior to performing any work. If the paint is found to contain lead, you should consult with an expert about appropriate procedures. Proper containment and 3-day notification is required for exterior jobs of more than 10 sq.ft. (Sec.3604, SFBC) Informational packets are available at (415) 558-6088. You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 554-8930 for free advice. IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST. Ordinance #446-97.	
8	PAINT WALLS (1001b,1301 HC)	AREA WHERE REQUIRED FOR THE EXTERIOR SIDING(SOUTH WALL FRONT OF THE STREET)ALSO THE WINDOW CASING WHEN ALL LOOSE PEELING PAINT HAS BEEN SAFLY REMOVED
9	PROVIDE SELF-CLOSING DEVICES AT EXTERIOR DOORS (706 HC)	SHAVE THE BOTTOM OF THE SIDE EXIT DOOR: (706 HC) THE SIDE EXIT DOOR MUST BE SELF CLOSING,FLUSH TO THE DOOR STOP AND LOCK WITHOUT ANY OUTSIDE ASSISTANCE.
10	PROVIDE SHUTOFF TOOL FOR GAS UTILITY SHUTOFF (712 HC)	Install shut off tool in a visible and accessible location and adjacent to main gas valve.Make sure that the type/size of the tool fits the existing valve(s)
11	POST ENCLOSED GAS METER INSTRUCTIONAL DIAGRAM IN A PUBLIC AREA. (712 HC)	post gas diagram in a visible location so tenants are aware of emergency gas shut off procedures.
12	INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as schedule on this notice of violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this notice. If the property owner cannot attend the scheduled reinspection (as specified on this notice) it is his/her responsibility to secure a different inspection date and time with the Inspector, and provide all tenants with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954(San Francisco Housing Code SECTION 303(b),if any dwellings, apartment units or guest rooms are to be accessed during the reinspection.

LL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. **REINSPECTION DATE :** 27 February 2004 10:00 AM

T IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

ONTACT HOUSING INSPECTOR : Daniel Shiu AT 415-558-6199

OR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A $84.00 FEE WILL BE CHARGED UNTIL THE

NOTICE OF VIOLATION

COMPLAINT: 200346273

/IOLATIONS ARE ABATED. SFBC 108.8

DEPARTMENT OF BUILDING INSPECTION
HOUSING INSPECTION SERVICES

CITY AND COUNTY OF SAN FRANCISCO
1660 Mission Street
San Francisco, CA 9[redacted]414

NOTICE OF VIOLATION

Pursuant to SFBC 304(e) and 332.3 investigation fees are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance, at 875 Stevenson St., 4th floor, 554-6720.

WARNING: Failure to take immediate action as required to correct the above violations will result in abatement proceedings by the Department of Building Inspection. If an order of Abatement is recorded against this property, the owner will be billed or the property will be liened for all costs incurred in the code enforcement process from the posting of the first "Notice of Violation" untill all costs are paid. SFBC 203(b) & 332.3

WARNING: Section 204 of the San Francisco Housing Code provides for immediate fines of $100 for each instance of initial non-compliance, followed by $200 fines per violation for the second instance of non-compliance, up to a maximum of $7,500 per building. This section also provides for issuance of a criminal charge as a misdemeanor for each violation, resulting in fines of not less than $1,000 per day or six months imprisonment or both.

WARNING: Anyone who derives rental income from housing dertmined by the Department of Building Inspection to be substandard cannot deduct from state personal income tax and bank and corporate income tax interest, depreciation or taxes attributable to such substandarad structure. If correction work is not completed or being diligently, expeditiously and continuously prosecuted after six(6) months from the date of this notice, notification will be sent to the Franchise Tax Board as provided in Section 17264(c)of the Revenue and Taxation Code.

WARNING: The owner or operator of rental housing determined to be substandard by the Department of Building Inspection cannot retaliate against a tenant pursuant to Section 1942.5 of the California Civil Code. This notice or order is issued pursuant to the Health and Safety Code Section 17980.6 and the failure to comply may result in a court appointed receiver to bring the substandard structure into compliance. Tenants may be prayed benefits, if temporarily relocated.

De acuerdo a las Secciones 304(e) y 332.3 de el Codigo de Construcion de Edificios de San Francisco, gastos de investigacion seran cobrados por trabajo empezado o realizado sin los debidos permisos o por trabajo. que exceda el limite estipulado en los permisos. Dichos cobros pueden ser apelados ante la Junta de Apelaciones de Permisos (Board of Permit Appeals) dentro de los primeros quince dias de haberse obtenido el permiso. Las apelaciones se hacen en el 875 de la calle Stevenson, cuarto piso, telefono 554- 6720.

ADVERTENCIA: Si no cumple con las acciones immediatas requeridas para corregir las infracciones, el Departamento de Inspeccion de Edificios tendra el derecho de iniciar el proceso de mitigacion. Si una Orden de Mitigacion es registrada contra dicha propiedad, los gastos incurridos durante el proceso de aplicacion del codigo, desde la primera puesta del Aviso de Infraccion hasta que todos los gastos esten pagados, se le cooraran al dueno del edificio o la propiedad sera embargada para recuperar dichos gastos. Referencia a la Seccion 203(b) y 332.3 de el Codigo de Construccion de Edificios.

ADVERTENCIA: La Seccion 204 de el Codigo de Vivienda de San Francisco permite que se multe inmediatamente $100 por cada primer caso de inconformidad, seguida por una multa de $200 por cada segunda infraccion de inconformidad, aumentando hasta un maximo de $7,500 por cada edificio. Esta Seccion tambien permite obtener cargos criminales como delito menor, reultando en multas de no menos de $1,000 diarios o 6 meses de encarcelamiento o ambas sanciones.

ADVERTENCIA: Cualquier persona que reciba renta por una vivienda que haya sido declarada que no satisface las normas requeridas por el Departamento de Inspeccion de Edificios, no puede deducir del estado intereses personales, de banco o empresa, depreciacion o taxes atribuidos sobre dicha estructura. Si el trabajo de reparacion no se termina o esta oligentemente,rapidamente y contuamente acusado despues de seis (6) meses de la fecha de este aviso. se le enviara una notificacion a la Junta de Concesion de Impuestos (Franchise Tax Board) de acuerdo a la Seccion 1264(c) del Codigo de Ingresos e Impuestos (Revenue and Taxation Code).

ADVERTENCIA: El propietario o administrador de viviendas que no se ajustan a los requisitos del Departamento de Inspeccion de Edificios no puede tomar represalias contra los inquilinos, de acuerdo a la Seccion 1942.5 del Codigo Civil de California. Se da esta orden o aviso de acuerdo al Codigo de Salud y Seguridad Seccion 17980.6. Si no se cumple con esta orden, la corte puede nombrar a alguien para que haga las correcciones necesarias y la estructura sea ajustada a los requisitos. Los inquilinos pudierean recibir beneficios, si se les moviera temporalmente.

根據《三藩市建築法規》(簡稱 SFBC) 第 304(e) 項和第 332.3 項條款的規定，對沒有許可證便已開始的工程和或/在進行的工程、或者超越許可範圍的工程，將收取調查費。當事人可以在許可證發出日起 15 天之內，向主管可以向許可上訴委員會提出上訴。該委員會地址在 Stevenson 街 875 號 4 樓。電話：554-6720。

警告：如不按照要求立即採取行動，以糾正上述違章行為，將導致建築檢查員付諸聽證糾正程序的執行。裁對此等違章情習的強制糾正程序令一經在市府備案，則產業重運如強貼日起的各項與此糾正程序令有關的費用，將向該地產主索取，或將該地產扣押，直至付清各項費用。請參閱《三藩市建築法規》第 203 (b) 項和第 332.3 項條款。

警告：《三藩市房屋法規》(即 SFHC) 第 204(b) 項條款規定：對每一違章初犯者立即罰款 100 元，二次重犯者罰款 200 元，每違章事的最高罰款可達 7,500 元。此項法規還規定對每一違章屋東者可提出刑事控告，每日最高罰款可達 1,000 元，或/和監禁六個月。

警告：任何人是通出租房屋獲得收入、而該房屋已被建築檢查員定為低於規定標準者，不能從加州個人所得稅、銀行和公司所得稅利息、以及與該低於規定標準的建築有關的折舊或放款中扣除費用。如果在此通告公布六個月後，改正工程沒有完成，或者沒有積極、迅速有效地繼續進行，我們將根據《國家稅收法規》(即 Revenue & Taxation Code) 第 1264 (c) 項條款，通知加州稅務委員會 (The Franchise Tax Board)。

根據加州陳現章第17980.6条款，被檢查稽查局所認定的不合標準要求的出租標準，業主或經營人員不得對房客進行報复。本通知/命令是根據健康及安全規章17980.6条款頒發的，違章者可能被提交法庭，由法庭指定的接收財產管理人將不合標準的指导合法化，必需監時搬遷，可能要支付房客搬遷津貼，

EXHIBIT C

DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

ORDER OF ABATEMENT
ORDER NO. 200346273 - A

Owner: Survivors Trust, Trustees
Speckman FAM TR of 1998
Bernard M. Speckman Jr. and
Sandra Stoppoloni, Trustees
2 Tiara Court
Burlingame, CA 94010

Address: 819 Hampshire Street
aka 819 – 829 Hampshire Street
Block: 4089 Lot: 035 Seq: 01
Census Tract: 228 Source: DA0
Inspector/Division: Shiu/HID
Complaint No: 200346273

Date Order of Abatement Issued: September 17, 2004

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **August 4, 2004** in accordance with the San Francisco Building Code Section 102. The hearing was conducted by a representative of the Director. The property owner **was not** represented.
After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation dated: **January 28, 2004**.
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102 of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICE(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

Order of Abatement to be imposed after the 15 Day advisement period from the hearing date has lapsed. Complete all work within 15 Days – no permits required.

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the **ASSESSMENT OF COSTS** incurred in clearing this case pursuant to Section 102.3 and 102.17 of the San Francisco Building Code.
For information contact the Inspector indicated above within Housing Inspection Services at (415) 558-6220, Fax: (415) 558-6249. This Order may be appealed to the Abatement Appeals Board within ten (10) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board=s Secretary at 1660 Mission Street, 6th floor, (415) 558-6454.

Very truly yours,

Frank Y. Chiu, Director

for Hearing Officer: Michael Hennessy
U:\OA\OA Documents\OAsDH080504.doc

EXHIBIT D

DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 201449783

NER/AGENT: SURVIVORS TRUST
LING
RESS: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT
BURLINGAME CA
94010

DATE: 07-FEB-14
LOCATION: 825 HAMPSHIRE ST
BLOCK: 4089 **LOT :** 035
NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT **USE TYPE:** R2

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

	ITEM	DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	825 Hampshire and common areas.
2	REPAIR STAIRS (1001(b)(13)HC)	There was damage and deterioration noted throughout the rear exit stairwell, including at the guard rails to 2nd floor; posts on 1st, 2nd to 3rd levels; 1st, 2nd and 3rd floor landings (including missing flooring); and 2nd floor to 3rd floor treads and risers. This stairway constitutes a life hazard as defined in the San Francisco Housing Code Sec.401. There was also damaged noted to the front exterior stairwell at the first riser (cement). You are required within 15 days along with a copy of this Notice of Violation, to file a Building Permit Application and commence repairs. You are required to complete the work within 30 days. Call for periodic and or a final building inspection using the tel. no. on the white JOB Card. Permits signed off by the District Building Inspector must be presented at the Housing Re-inspection in order to abate this case. If more than fifty percent repairs are made to stairs or stairs are replaced, you must submit a copy of this Notice of Violation and 2 sets of floor plans with the Building Permit Application.
3	REPAIR WEATHER PROOFING ON SIDING (1001(h),703 HC)	Secure loose exterior siding at the front Western side of the building.
4	PERMANENTLY REMOVE COMBUSTIBLE STORAGE OR PROVIDE AUTOMATIC FIRE SPRINKLERS. (904, 1001(i) HC)	Remove excess materials in basement level area.
5	REMOVE EGRESS OBSTRUCTION AT BASEMENT CORRIDOR (801,1001(l) HC)	Remove excess materials from egress path in basement level.
6	CARBON MONOXIDE ALARMS (SEC 420)CBC)	Install a carbon monoxide alarm as required and per manufacturer instructions.
7	PROVIDE ADEQUATE LIGHTING (504g HC)	Repair light fixtures in rear of the building that are not functioning.

DEPARTMENT OF BUILDING INSPECTION
Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 201449783

8	REPAIR DETERIORATED DRAINAGE AT EXTERIOR (1001f HC)	Inspection revealed a damaged drain area at the rear yard. Hire a professional plumbing company to thoroughly inspect the sewer line to ensure proper functioning. Provide a written report to the inspector by the professional stating the drain is in working order. Repair and cover in an approved manner.
9	REMOVE SEWAGE WASTE (1306, 1307 SFHC)	Remove sewage waste accumulation located at rear yard area drain. Clean or sanitize as necessary.
10	REPAIR KITCHEN SINK (1001f HC)	Repair sink to ensure a smooth, cleanable, waterproof surface free of deterioration.
11	REPAIR DAMAGED CEILING (1001b,h,o HC)	Repair damaged ceiling in basement level near rear door.
12	INSPECTOR COMMENTS	Other violations for the subject property are contained in Notices 200797539 and 200346273 including peeling paint on exterior; garbage receptacles, weatherproofing on siding; and fire extinguishers.
13	INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice. If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection. -Please provide access to all common areas of building on re-inspection date in order to perform a complete routine inspection of the property.

ALL ITEMS MUST BE COMPLETED WITHIN 30 **DAYS. REINSPECTION DATE :** 13 March 2014 01:30 PM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Barbara Lopez AT 415-558-6317

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A $170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

EXHIBIT E

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

ORDER OF ABATEMENT - ORDER NO. 201449783

Owner: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT
BURLINGAME CA 94010

Address: 819 829 HAMPSHIRE ST, 0000
Block: 4089 **Lot:** 035 **Seq:** 1
Census Tract: 228 **Source:** DC1
Complaint: 201449783
Date Order of Abatement Issued: June 5, 2014
Inspector/Division: Lopez\HIS
Housing Division Representative: Patrick McKenzie
Hearing Officer: Steven Panelli

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **June 5, 2014** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **did not** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **February 7, 2014**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

7 **Days to complete all work - appropriate Building permit(s) required**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (415) 558-6220. Fax (415) 558-6249. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 1660 Mission Street, 6th floor, (415) 558-6220.

Very truly yours,

Tom C. Hui, S.E., C.B.O., Director
Department of Building Inspection

Approved for Distribution on June 12, 2014
by Rosemary Bosque, Chief Housing Inspector

EXHIBIT F

DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 201453271

OWNER/AGENT: SURVIVORS TRUST

MAILING ADDRESS: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT
BURLINGAME CA
94010

DATE: 24-FEB-14

LOCATION: 825 HAMPSHIRE ST

BLOCK: 4089 **LOT:** 035

NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT **USE TYPE:** R2

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM		DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	825 Hampshire St.
2	PROVIDE HEAT TO EACH OCCUPIED HABITABLE ROOM CAPABLE TO MAINTAINING A MIN. ROOM TEMP. OF 68 DEGREES F. (20 DEGREES C.). (701c HC)	Unit 825: On the date of inspection, an improperly working heating unit was noted in the living room (room facing Hampshire street). Additionally, per the PG&E Service Report issued on 1/30/14, a " spill switch safety may be shutting down pilot due to improver venting" for the unit located in the hallway. On the date of reinspection, provide a written and signed report from a qualified service company or contractor stating that the whole of the heating system is in working order and poses no hazard to the occupants.
3	INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice. If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection. -Please provide access to all common areas of building on re-inspection date in order to perform a complete routine inspection of the property.

ALL ITEMS MUST BE COMPLETED WITHIN 15 **DAYS.** **REINSPECTION DATE:** 12 March 2014 10:00 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Barbara Lopez AT 415-558-6317

DEPARTMENT OF BUILDING INSPECTION
Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 201453271

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A $170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION WARNINGS!

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED: The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the property owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S), to be verified by the appropriate Inspector through site inspection.

COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER: Section 102A.3 of the San Francisco Building Code provides that in addition to the civil penalties described therein, the property owner shall be assessed all attendant, administrative, and inspection's costs incurred by the Department of Building Inspection for the property owner's failure to comply with this Notice. These costs arise from department time accrued pertaining but not limited to: (1) monthly violation monitoring, (2) case inquiries (phone calls, counter visits, response to correspondence, etc.), (3) case management, (4) permit history research, (5) notice/hearing preparation, (6) inspections, (7) staff appearances/reports at hearings, and (8) case referrals.

Assessment of Costs will accrue when the property owner fails to comply with this Notice through: (1) a monthly violation monitoring fee of $52.00, and (2) an hourly rate of $104.00 for case management/administration, and $170.00 for inspections, as provided for in Sections 102A.3, 102A.17, and Section 110A, Tables IA-D, and IA-K of the San Francisco Building Code. The property owner will be notified by letter of the accrued Assessment of Costs following failure to comply with this Notice. Failure to pay the Assessment of Costs shall result in: (1) the case not being legally abated until all assessments are paid, and (2) tax lien proceedings against the property owner pursuant to Sections 102A.3, 102A.16, 102A.17,102A.18 et seq., 102A.19 et seq.,and 102A.20 of the San Francisco Building Code.

REFERRAL TO STATE FRANCHISE TAX BOARD: Section 17274 and 24436.5 of the Revenue and Taxation Code provide, interalia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section 17274(c) of the Revenue and Taxation Code.

PUBLIC NUISANCES & MISDEMEANORS: Section 102A of the San Francisco Building Code and Sections 204, 401 and 1001(d) of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section 204 of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding $1,000.00, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

PERMIT REQUIREMENTS: Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections 107A.5, and 110A, Table 1A-K of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.

NOTIFICATION TO BUILDING TENANTS: Pursuant to Sections 17980.1 and 17980.6 of the California Health & Safety Code, and Section 102A.3 of the San Francisco Building Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and make available a copy to each tenant thereof.

PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section 1942.5 of the California Civil Code.

REINSPECTION FEES: For every inspection, after the initial re-inspection, a $170.00 fee will be charged until the violations are abated pursuant to Sections 108A.8 and 110A, Table IA-G of the San Francisco Building Code.

VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE:
Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed $500.00 per day plus administrative costs as provided by Section 3423.8 of this Code.

Upon completion of all required work, you must contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled What You Should Know About the Department of Building Inspection Code Enforcement Process or download the document from the Department website.
NCTS_NOV.rdf revised 6/22/2011

EXHIBIT G

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

ORDER OF ABATEMENT - ORDER NO. 201453271

Owner: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT
BURLINGAME CA 94010

Address: 819 829 HAMPSHIRE ST, 0000
Block: 4089 Lot: 035 Seq: 1
Census Tract: 228 Source: DH0
Complaint: 201453271
Date Order of Abatement Issued: June 5, 2014
Inspector/Division: Lopez\HIS
Housing Division Representative: Patrick McKenzie
Hearing Officer: Steven Panelli

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **June 5, 2014** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **did not** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **February 24, 2014**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

7 **Days to complete all work - as noted in the above referenced NOV**

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (415) 558-6220. Fax (415) 558-6249. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 1660 Mission Street, 6th floor, (415) 558-6220.

Very truly yours,

Tom C. Hui, S.E., C.B.O., Director
Department of Building Inspection

Approved for Distribution on June 12, 2014
by Rosemary Bosque, Chief Housing Inspector

EXHIBIT H

DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

COMPLAINT: 201497621

OWNER/AGENT: SURVIVORS TRUST

MAILING ADDRESS: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT
BURLINGAME CA
94010

DATE: 02-OCT-14

LOCATION: 819 HAMPSHIRE ST

BLOCK: 4089 **LOT:** 035

NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT **USE TYPE:** R2

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM		DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	Common Areas and 825 Hampshire
2	PROVIDE HANDRAILS (802(c),1001(b)(13)HC, 1012 SFBC)	825 Hampshire: On the date of inspection, the interior entry stairwell did not have handrails. Provide code complaint handrails. Common Area: Provide handrails where required by code in the common areas, including first floor rear steps and steps leading to side exit.
3	PROVIDE SUFFICIENT STRUCTURAL SUPPORT FOR REAR PORCH ENCLOSURES (1001 M SFHC)	Common Area: On the date of inspection, wood decay/damage was noted at the North-most rear support post for the porch enclosure/rear of building. Significant settlement. Ensure sufficient structural supports and a safe/stable foundation. Have a licensed pest control contractor, general building contractor, architect or engineer inspect rear of structure and obtain written report with recommended repairs, then make repairs or replace as necessary to ensure stability and safety. Provide Housing Inspector with copy of written report of any needed repairs at time of reinspection. Building permit may be required.
4	SMOKE DETECTOR (702)(911)HC, (310.9.1.2)CBC	825 Hampshire : On the date of inspection, be able to show that the smoke detectors are in working order. Test smoke detectors on a regular basis and perform a periodic inspections to assure that units are functional. Replace batteries annually.
5	ELIMINATE RODENT INFESTATION (1001b, 1306 HC)	825 Hampshire: On the date of inspection, openings and rodent evidence was noted around the bathroom plumbing. These openings may serve as an entrance or harborage for rodents. Seal any openings in floors, walls and ceiling in the Unit that are greater than 1/4 inch. Have licensed Pest Control Contractor treat building in approved manner to eliminate rodents. Provide written documentation of treatment from Pest Control Company at time of reinspection.

DEPARTMENT OF BUILDING INSPECTION

Housing Inspection Services Division
City and County of San Francisco
1660 Mission Street 6th Floor, San Francisco, California 94103-2414
(415) 558-6220 Fax: (415) 558-6249 Email: DBIHIDComplaints@sfgov.org Website: www.sfdbi.org

NOTICE OF VIOLATION

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6	REPAIR DAMAGED WALLS (1001b,h,o HC)	825 Hampshire: On the date of inspection the following wall areas require repair: entry hallway has damaged wallpaper and chipped/cracked walls/paint; and 2nd level hallway and living room has damaged/cracked/chipped walls and paint. Patch, plaster, and repaint walls to ensure a smooth, sanitary, and cleanable surface.
7	REPAIR DAMAGED CEILINGS (1001b,h,o HC)	825 Hampshire: On the date of inspection, multiple cracks in the ceiling plaster were noted at the sleeping, living rooms and kitchen closet. Patch, plaster, paint. Recommendation: inspect roofing. Provide written documentation regarding all steps taken to ensure proper repair of the ceilings in a professional manner.
8	Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises. For interior or exterior paint removal : Always wet the surface, contain and properly dispose of leaded paint. If you are unsure whether the paint is leaded, you should test it prior to performing any work. If the paint is found to contain lead, you should consult with an expert about appropriate procedures. Proper containment and 3-day notification is required for exterior jobs of more than 10 sq.ft. (Sec.3423, SFBC) Informational packets are available at (415) 558-6088. You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 252-3800 for free advice. IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST. Ordinance #446-97.	
9	ELIMINATE MOLD/MILDEW ON WINDOW SILLS/FRAMES (1301,1001B(13),1306 HC)	825 Hampshire : On the date of inspection, mold/mildew was noted at the window sills/frames, particularly in the kitchen and in the rear porch enclosure area. Eliminate possible mold/mildew. CLEAN MOLD/MILDEW WITH A COMMERCIAL MILDEWCIDE OR A SOLUTION OF 1 1/2 CUPS BLEACH TO 1 GALLON OF WATER.

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10 INSPECTOR COMMENTS

It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector of those areas not accessed during the initial inspection as specified, and/or to provide access to all areas cited within this Notice.
If the property owner cannot attend the scheduled reinspection (as specified on this Notice) it is his/her responsibility to secure a different inspection date and time with the Inspector, and provide all tenants with notification as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b), if any dwellings, apartment units or guest rooms are to be accessed during the reinspection.

-Please provide access to all common areas of building on re-inspection date in order to perform a complete routine inspection of the property.

ALL ITEMS MUST BE COMPLETED WITHIN 30 **DAYS. REINSPECTION DATE :** 03 November 2014 11:30 AM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : Barbara Lopez AT 415-558-6317

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A $170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

EXHIBIT I

City and County of San Francisco
Department of Building Inspection

Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

ORDER OF ABATEMENT - ORDER NO. 201497621

Owner: SURVIVORS TRUST
%SPECKMAN BERNARD M JR.&STO
2 TIARA CT
BURLINGAME CA 94010

Address: 819 829 HAMPSHIRE ST, 0000
Block: 4089 Lot: 035 Seq: 1
Census Tract: 228 Source: DC3
Complaint: 201497621
Date Order of Abatement Issued: January 22, 2015
Inspector/Division: Lopez\HIS
Housing Division Representative: David Herring
Hearing Officer: Tony Grieco

A Hearing on the complaint of the Director of the Department of Building Inspection against the property referenced above was held on **January 22, 2015** in accordance with the San Francisco Building Code Section 102A. The hearing was conducted by a representative of the Director. The property owner received notification of the hearing as required by Section 102A.4 of the San Francisco Building Code. The property owner/representative **did not** attend the hearing.

After a full and fair consideration of the evidence and testimony received at the hearing, **THE DIRECTOR FINDS AND DETERMINES THE FOLLOWING:**

1. That Notice has been duly given as required by law 10 days prior to the hearing.
2. That the conditions are as stated in the complaint of the Director of the Department of Building Inspection attached as the Notice(s) of Violation (NOV) dated: **October 2, 2014**
3. That the Conditions of said structure(s) constitutes an unsafe building or a public nuisance pursuant to Section 102A of the San Francisco Building Code and Section 1001(d) of the San Francisco Housing Code.

Based on the findings set forth above, **THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION HEREBY ORDERS THE PROPERTY OWNER OF SAID BUILDING TO ABATE ALL VIOLATIONS CITED IN THE ATTACHED NOTICES(S) OF VIOLATION AND COMPLY WITH THE FOLLOWING DIRECTIVES COMMENCING FROM THE DATE THIS ORDER IS POSTED & SERVED:**

7 Days to complete all work - as noted in the above referenced NOV

The Department of Building Inspection **SHALL BE REIMBURSED** by the property owner for the ASSESSMENT OF COSTS incurred in clearing this case pursuant to Section 102A.3 and 102A.17 of the San Francisco Building Code. For information contact the inspector indicated above within Housing Inspection Services at (415) 558-6220. Fax (415) 558-6249. This Order may be appealed to the Abatement Appeals Board within fifteen (15) days of the posting and service of said Order. Appeal forms and filing fee information can be obtained from the Board's Secretary at 1660 Mission Street, 6th floor, (415) 558-6220.

Very truly yours,

Tom C. Hui, S.E., C.B.O., Director
Department of Building Inspection

Approved for Distribution on January 28, 2015
by Rosemary Bosque, Chief Housing Inspector

ENTERED